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Kent H. Roberts

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

KENT H. ROBERTS,

Defendant.

Case No. C 07-04580 MHP

**DEFENDANT KENT ROBERTS' AMENDED  
AND CORRECTED ADMINISTRATIVE  
MOTION TO FILE UNDER SEAL PORTIONS  
OF DEFENDANT'S MOTION TO COMPEL  
PRODUCTION OF DOCUMENTS FROM  
THIRD PARTY HOWREY LLP, THE  
DECLARATION OF WILLIAM S. FREEMAN  
IN SUPPORT THEREOF AND EXHIBITS D, E,  
F, J, K, N, O, R, S, T & U TO THE  
DECLARATION OF WILLIAM S. FREEMAN**

Judge: Hon. Marilyn H. Patel

Pursuant to Civil Local Rule 79-5(b), (c) and (d), Defendant Kent Roberts ("Defendant") hereby submits this Amended Administrative Motion to File Under Seal Portions of Defendant's Motion to Compel Production of Documents from Third Party Howrey LLP ("Howrey"), portions of the Declaration of William S. Freeman in Support Thereof and Exhibits D, E, F, J, K, N, O, R, S, T and U to the Declaration of William S. Freeman in Support Thereof.

1. In accordance with Civil Local Rule 79-5(b) and the Protective Order entered in the arbitration proceeding of *Kevin Weiss v. McAfee, Inc.*, American Arbitration Association, No.

1 71 166 00038 07 (“*Weiss* Protective Order”), Defendant requests that the following exhibit  
2 attached to the Declaration of William S. Freeman, submitted herewith, be filed under seal:  
3 Exhibit D – Excerpts from the Deposition Transcript of Robert E. Gooding, Jr.

4 2. In accordance with Civil Local Rule 79-5(b) and the Stipulation and Protective  
5 Order entered into in this case on November 16, 2007 (“*Roberts* Protective Order”), Defendant  
6 requests that the following exhibit attached to the Declaration of William S. Freeman, submitted  
7 herewith, be filed under seal: Exhibit E – March 22, 2007 Letter from Howrey to Deloitte &  
8 Touche and PricewaterhouseCoopers.

9 3. In accordance with Civil Local Rule 79-5(b) and *Roberts* Protective Order,  
10 Defendant requests that the following exhibit attached to the Declaration of William S. Freeman,  
11 submitted herewith, be filed under seal: Exhibit F – October 10, 2006 Minutes of the Board of  
12 Directors of McAfee, Inc.

13 4. In accordance with Civil Local Rule 79-5(b) and *Roberts* Protective Order,  
14 Defendant requests that the following exhibit attached to the Declaration of William S. Freeman,  
15 submitted herewith, be filed under seal: Exhibit J – June 30, 2006 Minutes of the Board of  
16 Directors of McAfee, Inc.

17 5. In accordance with Civil Local Rule 79-5(b) and *Roberts* Protective Order,  
18 Defendant requests that the following exhibit attached to the Declaration of William S. Freeman,  
19 submitted herewith, be filed under seal: Exhibit K – October 23, 2006 Minutes of the Board of  
20 Directors of McAfee, Inc.

21 6. In accordance with Civil Local Rule 79-5(b) and *Roberts* Protective Order,  
22 Defendant requests that the following exhibit attached to the Declaration of William S. Freeman,  
23 submitted herewith, be filed under seal: Exhibit N – E-mail Communications Between Howrey  
24 and the Government Dated Between November 6, 2006 and February 1, 2007.

25 7. In accordance with Civil Local Rule 79-5(b) and the *Weiss* Protective Order,  
26 Defendant requests that the following exhibit attached to the Declaration of William S. Freeman,  
27 submitted herewith, be filed under seal: Exhibit O – Excerpts from the Deposition Transcript of  
28 David T. Bartels.

8. In accordance with Civil Local Rule 79-5(b) and *Roberts* Protective Order, Defendant requests that the following exhibit attached to the Declaration of William S. Freeman, submitted herewith, be filed under seal: Exhibit R – January 16, 2008 Howrey Letter Attaching Privilege Log.

9. In accordance with Civil Local Rule 79-5(b) and *Roberts* Protective Order, Defendant requests that the following exhibit attached to the Declaration of William S. Freeman, submitted herewith, be filed under seal: Exhibit S – Excerpts from the Deposition Transcript of Stephen C. Richards.

10. In accordance with Civil Local Rule 79-5(b) and *Roberts* Protective Order, Defendant requests that the following exhibit attached to the Declaration of William S. Freeman, submitted herewith, be filed under seal: Exhibit T – Undated Internal McAfee, Inc. Document Discussing the 2002 Focal.

11. In accordance with Civil Local Rule 79-5(b) and *Roberts* Protective Order, Defendant requests that the following exhibit attached to the Declaration of William S. Freeman, submitted herewith, be filed under seal: Exhibit U – March 8, 2007 Presentation Titled “Audit Committee Restatement Update.”

12. In accordance with Local Rule 79-5(c) and (d) and the *Weiss* Protective Order, and the *Roberts* Protective Order, Defendant requests that certain portions of Defendant’s Motion to Compel Production of Documents from Third Party Howrey LLP pertaining to the matters described in Paragraphs 1-11 above be filed under seal. A public, redacted version of this document is being lodged with the Court electronically herewith.

Dated: February 20, 2008

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/s/

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